

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHIGAN GLASS AND GLAZING
INDUSTRY DEFINED CONTRIBUTION
PENSION PLAN, et al.,

Plaintiffs,

v.

Case No. 06-CV-13087

YPSILANTI ACME GLASS AND
PAINT CO., d/b/a ACME GLASS
AND PAINT CO., d/b/a MICHIGAN
GLASS COMPANY,

Defendant.

**OPINION AND ORDER GRANTING PLAINTIFFS'
"MOTION TO AMEND JUDGMENT"**

Before the court is Plaintiffs' January 30, 2008, "Motion to Amend Judgment." A response was due on or before February 19, 2008, but no response was filed. For the reasons stated below, the court will grant Plaintiffs' motion.

On July 10, 2007, the court entered a consent judgment in favor of Plaintiffs and against Defendant Ypsilanti Acme Glass and Paint Company in the amount of \$87,632.38, plus interest, less a credit for all amounts paid by Defendant under the settlement agreement. (7/10/07 Stip. Order.) The consent judgment also provided that Defendant was to submit to an additional audit and the judgment could thereafter be amended to reflect the results of that audit. (*Id.* at ¶¶ 5-6.) Plaintiffs have since conducted their audits and have filed the instant motion, requesting that the judgment be amended. The motion, which is supported by reports summarizing the audit results

as well as by an affidavit by counsel, seeks an amended judgment in the amount of \$153,830.98, less payments received from Defendant of \$48,183.41., for a total amount of \$112,310.18 plus post-judgment interest. The court finds the motion to be sufficiently supported and, in the absence of any opposition being filed, will grant the motion and enter an amended judgment. Accordingly,

IT IS ORDERED that Plaintiffs' "Motion to Amend Judgment" [Dkt. # 64] is GRANTED. A separate amended judgment will issue.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 21, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 21, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522